

REMARKS

By this amendment, claims 24, 32, 33, and 37 have been amended. Please consider the following Remarks in addition to the Remarks submitted in the Amendment filed on October 27, 2006. Applicants reserve the right to pursue the original claims and other claims in this and other applications.

Applicant thanks the Examiner for the interview conducted on November 8, 2006. During that interview, Examiner and Applicant's representative agreed that the cathode conductive layer 101 taught by U.S. Patent No. 5,656,330 ("Niiyama") is not arranged in the through-holes 106 taught by Niiyama. (FIG. 4).

Claim 24 has been amended to recite, *inter alia*, "exposing at least a portion of said at least one current emitter arranged in an open area of said flat panel display to a hydrogenation process". Support for this amendment may be found at least at paragraph [0021] of the specification, which describes an open area 126, at FIG. 2, which shows that the tip 118 of the current emitter 116 is arranged in the open area 126, and at paragraph [0027], which states that "[t]he tip 118 is then treated with PECVD hydrogenation 322". Support for the amendments to claims 32, 33, and 37 is likewise provided.

Claims 24-25, 29, and 32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Niiyama. This rejection is respectfully traversed.

Claim 24, as amended, recites, *inter alia*, "exposing at least a portion of said at least one current emitter arranged in an open area of said flat panel display to a hydrogenation process". The Office Action has characterized the cathode conductive layer 101 of Niiyama as a "current emitter". (Office Action, page 2). Applicants respectfully disagree with this characterization at least for the reasons submitted in the

Amendment filed on October 27, 2006. However, assuming *arguendo* that the cathode conductive layer 101 may be characterized as a “current emitter”, Niiyama does not teach that the cathode conductive layer 101 is arranged in the through-hole 106. (FIG. 4). Instead, Niiyama teaches that the cathode conductive layers 101 is arranged below the resistive layer 102. (FIG. 4). Claims 32, 33, and 37 contain similar limitations and are allowable for similar reasons.

Since Niiyama does not disclose all the limitations of claims 24 and 32, these claims are not anticipated by Niiyama. Claims 25-31 depend from claim 24 and are patentable at least for the reasons mentioned above. Applicant respectfully requests that the rejection of claims 24-32 be withdrawn.

Claims 26-28 and 32-38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Niiyama in view of U.S. Patent No. 5,902,650 (“Feng”). This rejection is respectfully traversed.

The Office Action fails to establish a *prima facie* case of obviousness at least because Niiyama in view of Feng, even if properly combinable, do not teach or suggest every element of independent claims 33 and 37. To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

As discussed above, claims 33 and 37 contain similar limitations to claims 24 and 32 and are allowable at least for similar reasons. Furthermore, Feng does not cure the deficiencies of Niiyama. Similarly to Niiyama, Feng only teaches that a “device 50 is formed by depositing a resistive layer 52 of amorphous silicon based film on a glass substrate.” (column 5, lines 31-33). Therefore, Niiyama in view of Feng, even if

properly combinable, do not teach or suggest all the claim limitations of claims 33 and 37.

Since Niiyama and Feng do not disclose all the limitations of claims 33 and 37, these claims are not anticipated by Niiyama. Claims 34-36 depend from claim 33 and are patentable at least for the reasons mentioned above. Claim 38 depends from claim 37 and is patentable at least for the reasons mentioned above. Applicant respectfully requests that the rejection of claims 33-38 be withdrawn.

In view of the above remarks, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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